

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

228I0115

HOUSE BILL NO. 1103

Introduced by: Representatives Wick, Adelstein, Begalka, Bradford, Cutler, Elliott, Glenski, Haverly, Heineman, Hennies, Juhnke, Lange, McCoy, Olson (Mel), Schafer, Smidt, Teupel, Thompson, and Weems and Senators Moore, Diedrich (Larry), Ham, Jaspers, Kleven, Koetzle, Olson (Ed), Reedy, Schoenbeck, and Sutton (Dan)

1 FOR AN ACT ENTITLED, An Act to provide for a refund of tuition for certain teachers.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. Terms used in this Act mean:

4 (1) "Eligible teacher," a teacher who teaches in a subject area of critical need as
5 determined by the Department of Education and Cultural Affairs, and whose first year
6 of teaching is after the 2002-2003 school year;

7 (2) "Postsecondary tuition," the lesser of five thousand dollars or actual qualified higher
8 education expenses as defined in subdivision 13-63-1(13) paid by the eligible teacher;

9 (3) "Secretary," the secretary of the Department of Education and Cultural Affairs.

10 Section 2. There is hereby created in the state treasury the South Dakota teacher tuition
11 reimbursement fund into which shall be deposited any appropriations, private donations, grants,
12 federal funds, and other funds provided to the Department of Education and Cultural Affairs for
13 tuition reimbursements to teachers. Any interest earned on the money in the fund shall be
14 deposited in the fund.



1 Section 3. Notwithstanding the provisions of § 4-7-39, at the end of each fiscal year, the
2 secretary shall transfer twenty-five percent of any money, not to exceed one million dollars, that
3 has been appropriated for state aid to general education or state aid to special education that has
4 not been spent or legally obligated to the teacher tuition reimbursement fund. No money may be
5 transferred to the teacher tuition reimbursement fund if the amount in the fund is two million five
6 hundred thousand dollars or more.

7 Section 4. A school district may solicit and accept funds from private entities or individuals
8 for the teacher tuition reimbursement fund. Any funds solicited by a particular school district may
9 only be used to reimburse eligible teachers in the school district.

10 Section 5. An eligible teacher shall receive a reimbursement equal to seventy-five percent of
11 the teacher's first year's postsecondary tuition if the teacher has taught in South Dakota for three
12 consecutive years following graduation from an accredited college or university.

13 Section 6. An eligible teacher shall receive a reimbursement equal to seventy-five percent of
14 the teacher's second year's postsecondary tuition if the teacher has taught in South Dakota for
15 five consecutive years following graduation from an accredited college or university.

16 Section 7. An eligible teacher shall receive a reimbursement equal to seventy-five percent of
17 the teacher's third year's postsecondary tuition if the teacher has taught in South Dakota for
18 seven consecutive years following graduation from an accredited college or university.

19 Section 8. An eligible teacher shall receive a reimbursement equal to seventy-five percent of
20 the teacher's fourth year's postsecondary tuition if the teacher has taught in South Dakota for
21 nine consecutive years following graduation from an accredited college or university.

22 Section 9. An eligible teacher shall receive an additional reimbursement equal to the
23 remaining twenty-five percent of the teacher's first four year's postsecondary tuition if the teacher
24 has taught in South Dakota for ten consecutive years following graduation from an accredited

1 college or university.

2 Section 10. The Department of Education and Cultural Affairs shall pay eligible teachers their
3 tuition reimbursement out of any money in the teacher tuition reimbursement fund or a
4 proportion of those funds available.

5 Section 11. The Department of Education and Cultural Affairs shall promulgate rules
6 pursuant to chapter 1-26 to identify or to establish criteria for identifying subject areas of critical
7 need and other eligibility criteria for teachers to receive reimbursement pursuant to this Act. The
8 rules shall also specify procedures for teachers to apply for tuition reimbursement and procedures
9 for disbursement of reimbursement funds.